

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24294 of 2019

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Baijantiya Mala Wife of Ashok KUMar, Resident of Village-Mohammadpur,
Police Station-Aungari, District-Nalanda.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The District Magistrate, Nalanda.
3. The District Education Officer, Nalanda.
4. The Assistant Engineer, Samagra Shiksha Abhiyan, Nalanda.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Sumeet Kumar Singh Mr. Anil Kumar Singh
For the Respondents	:	Mr. Pramod Kumar Singh, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-12-2019 This writ application has been filed seeking a direction to the respondents for upgrading Middle School, Mohammadpur, Mahuabagh, as Secondary School, as, according to the petitioner, sufficient land is available for construction of building for a Secondary School at Mohammadpur.

Learned counsel appearing on behalf of the petitioner has referred to a report, based on physical verification made by the Assistant Engineer, to submit that he has recommended two schools, either of which can be upgraded to secondary school, the other located at Rasika (Jamuawa).

It is purely an administrative decision as to which



place is best suited for upgrading or establishing a secondary school. This Court does not have any judicially determinable parameter to decide as to which place is more suited. The plea, that since the school at Mohammadpur has more spare space than the school at Rasika (Jamuawa), cannot be a basis for this Court to direct the respondents to take any decision in a particular manner. The villagers of Mohammadpur are said to have approached the District Magistrate and the District Education Officer, Nalanda, by filing representations.

It will be open for the District Magistrate/District Education Officer to take appropriate decision in the best interest of the students and public and, while doing so, may consider the representation filed by the petitioner.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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